

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ORTHO BIOTECH PRODS, L.P.,

Plaintiff,

v.

AMGEN, INC.,

Defendant.

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Hon. Stanley R. Chesler
Civ. No. 05-4850

ORDER

THIS MATTER having come before the Court on motions by plaintiff Ortho Biotech Products, L.P. for (1) expedited discovery [Docket Entry No. 2]; and (2) injunctive relief [Docket Entry No. 3]; and the Court having reviewed the parties' submissions and having heard oral argument on October 17, 2005; and for the reasons set forth on the record during oral argument; and for good cause shown,

IT IS on this 25th day of October, 2005,

ORDERED that plaintiff's motion for expedited discovery [Docket Entry No. 2] is

GRANTED, to wit:

- (1) the parties shall complete discovery on plaintiff's application for injunctive relief no later than February 17, 2006 and briefing shall take place thereafter;
- (2) the parties shall present to the Undersigned a stipulated scheduling order, which addresses both discovery and the refiling of plaintiff's motion for injunctive relief, no later than October 28, 2005;
- (3) if the parties cannot stipulate to a scheduling order, then, no later than

October 28, 2005, they shall raise scheduling issues with Magistrate Judge

John J. Hughes; and

IT IS FURTHER ORDERED that plaintiff's motion for injunctive relief [Docket Entry No. 3] is **DENIED**, without prejudice to plaintiff's right to renew such motion pursuant to the aforementioned scheduling order.

s/ Stanley R. Chesler

United States District Judge